IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO: 24212 of 1997

Between:

M/s. Kranthi Scheduled Caste Labour Contract Cooperative Society Ltd., rep. by its President M.Raja Mouli @ Raja Mouli
Dharmavaram Village Pasara Mandal, Warangal District.

... PETITIONER

AND

1 The Superintending Engineer, Irrigation Circle, Red Hills,Hyderabad.
2 The Superintending Engineer, Irrigation Circles 1,2,3&4 Nizamabad.
3 Superintending Engineer, O&M NSP Circle, Tekulapalli, Khammam.
4 Superintending Engineer, Irrigation Circle, Nirmal, Adilabad District.
5 Superintending Engineer, K.C. Canal Circle, Huzurabad.
6 Superintending Engineer, R & B Circle, Karimnagar.
7 Superintending Engineer, Panchayat Raj Circle, Khammam.
8 Superintending Engineer, R & B Circle, Warangal.
9 Superintending Engineer, GV Circle IB, LMD Colony, Karimnagar.
10 Superintending Engineer, Public Health Circle, Warangal.
11 Superintending Engineer, MCH Circle I & II, Hyderabad.
12 Superintending Engineer, Kakatiya University, Warangal.
13 Superintending Engineer, R&B Rural Circle, Balkampet, Hyderabad.
14 University Engineer, Kakatiya University, Warangal.
15 Executive Engineer, Marketing, Warangal & Hyderabad.
16 Commissioner, Muncipal Corporation of Waranagal, Warangal.
17 Superintending Engineer, S.L.B.C.Circle I & II, G.V.Gudem,Nalgonda.
18 Executive Engineer, R&B Division, Warangal.
19 Executive Engineer, Irrigation Division, Warangal.
20 Executive Engineer, Panchyat Raj Division, Warangal.
21 Superintending Engineer, N.S.P.Circle, Miryalguda, Nalgonda Distirct.
22 Superintending Engineer, Social Welfare Circle, Masab Tank, Hyderabad.
23 Superintending Engineer, Panchayat Raj Circle, Nalgonda.
24 Superintending Engineer, R&B Circle, Eluru

25 Superintending Engineer, Irrigation Circle, Eluru
26 Executive Engineer, REC, Warangal

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly a writ in the nature of Mandamus, declaring the action of the respondents in insisting the petitioner society for payment of EMC, Commercial Tax Clearance Certificate in connection with all tender notices scheduled to be issued on 21-4-97 or thereafter as arbitrary, illegal and unreasonable and consequently to direct the respondents not to insist on payment of EMD, Commercial Tax Clearance certificates from the petitioner at the time of allotment of works or issuance of tenders schedules in connection with all tender notices scheduled to be issued after 1-6-97 and to issue schedules to the petitioners in such all tender notices irrespective disregarding the district where they register.

Counsel for the Petitioner: MR. P. SRIDHAR RAO (NOT PRESENT)

Counsel for Respondents 1 to 11,13,15, &17 to 26: GP FOR R &B

Counsel for the Respondents 12&14: MR. B. NARAYANA REDDY

Counsel for the Respondent No.16: MR. K. VENUGOPALA REDDY

The Court made the following:

ORDER: -

This writ petition is filed seeking *mandamus* declaring the action of the respondents in insisting the petitioner society for payment of earnest money deposit, commercial tax clearance certificate in connection with all tender notices scheduled to be issued on 21-04-1997 or thereafter, as arbitrary, illegal and unreasonable and consequently to direct the respondents not to insist payment of earnest money deposit, commercial tax clearance certificate from the petitioner at the time of allotment of works or issuance of tenders schedules in connection with all tender notices scheduled to be issued after 01-06-1997.

2. This Court on 23-09-1997 while admitting the writ petition passed interim direction in W.P.M.P.No.28224 of 1997.

3. When the matter is called, no representation is made on behalf of petitioner.

4. The learned Government Pleader for Roads and Buildings submits that the relief sought for by the petitioner has become infructuous.

5. Accordingly, the writ petition is dismissed as infructuous. No costs.

_____

N. V. RAMANA, J

Dt.04-04-2005

Glv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. The Superintending Engineer, Irrigation Circle, Red Hills,Hyderabad.
2. The Superintending Engineer, Irrigation Circles 1,2,3&4 Nizamabad.
3. The Superintending Engineer, O&M NSP Circle, Tekulapalli,Khammam.
4. The Superintending Engineer, Irrigation Circle, Nirmal, Adilabad District.
5. The Superintending Engineer, K.C. Canal Circle, Huzurabad.
6. The Superintending Engineer, R & B Circle, Karimnagar.
7. The Superintending Engineer, Panchayat Raj Circle, Khammam.
8. The Superintending Engineer, R & B Circle, Warangal.
9. The Superintending Engineer, GV Circle IB, LMD Colony, Karimnagar.
10. The Superintending Engineer, Public Health Circle, Warangal.
11. The Superintending Engineer, MCH Circle I & II, Hyderabad.
12. The Superintending Engineer, Kakatiya University, Warangal.
13. The Superintending Engineer,R&B Rural Circle,Balkampet, Hyderabad.
14. The University Engineer, Kakatiya University, Warangal.
15. The Executive Engineer, Marketing, Warangal & Hyderabad.
16. The Commissioner, Muncipal Corporation of Warangal, Warangal.

17.TheSuperintendingEngineer,S.L.B.C.Circle I&II, G.V.Gudem,Nalgonda.
18.The Executive Engineer, R&B Division, Warangal.
19.The Executive Engineer, Irrigation Division, Warangal.
20.The Executive Engineer, Panchyat Raj Division, Warangal.
21.TheSuperintending Engineer,N.S.P.Circle,Miryalguda,Nalgonda Dist.
22.The Superintending Engineer, Social Welfare Circle, Masab Tank, Hyderabad.
23.The Superintending Engineer, Panchayat Raj Circle, Nalgonda.
24.The Superintending Engineer, R&B Circle, Eluru
25.The Superintending Engineer, Irrigation Circle, Eluru
26.The Executive Engineer, REC, Warangal.

27.Two CCs. to the Government Pleader forRoads and Buildings, High Court Buildings, Hyderabad. (OUT)

28. One CC to Mr. Durga Nageswara Rao.

Two CD copies

*Form-NIC-OGS/WP{**KSV**}*